



**Park City Soils Ordinance Work Group  
of the  
Silver Creek Stakeholder Process**

**January 31, 2001**

**DRAFT MEETING SUMMARY**

**In Attendance**

- Toby Ross, Park City Municipal Corporation
- Jim Christiansen, U.S. EPA Region 8
- Catherine Roberts, U.S. EPA Region 8
- Ty Howard, Utah Department of Environmental Quality, Division of Environmental Response and Remediation
- Muhammad Slam, Utah Department of Environmental Quality, Division of Environmental Response and Remediation
- Suzanne Lewis, Prospector Park Home Owners Association
- Paul Lammers, Park City Municipal Corporation
- Sally Elliott, Prospector Park Home Owners Association and Summit County Historical Society
- Shelley Weiss, Mountainlands Community Housing Trust
- Dean S. Berrett, Prospector Square Property Owners Association
- Brent Ovard, Summit County Public Health
- Dave Johnson, Park City Board of Realtors

**Observers**

- David Cline, Bingham Environmental
- Ron Ivy, Park City Municipal Corporation
- Kib Jacobson, Bureau of Reclamation, Alternative Dispute Resolution Advisor
- Laura Scales, mediation intern, University of Utah College of Law
- 2 or 3 others - names ???

**Introduction**

All participants introduced themselves and their affiliation. The facilitator explained the nature of the work group process. She encouraged frank and open discussions, with the goal of finding joint solutions. The work group should be a process of participants educating each other and learning together. The group explored ground rules for their work, which included being

respectful towards each other and expressing concerns as they arise, not allowing concerns to build up and create resentment. Since the work group will include participants with varying levels of familiarity with the existing Silver Creek Stakeholder Process or the technical issues to be discussed, the facilitator encouraged anyone to speak up (within or outside the work group meetings) if they are feeling lost.

### **Background of Stakeholder Process**

Jim Christiansen gave a brief background of the Silver Creek Watershed Stakeholder Process.

- EPA has initiated a collaborative approach to environmental issues in the Silver Creek watershed. Information about the stakeholder process can be found at [www.silvercreekpc.org](http://www.silvercreekpc.org).
- As part of the watershed-wide stakeholder process, focus will be given to three different types of areas with regard to soils, possibly in three separate work groups. The focus of this work group will be the geographic area covered by the Park City Soils Ordinance. EPA seeks to make sure the ordinance works and “close the book on it.”

### **Background of Soils Issues**

Toby Ross gave a brief background of soils issues within the ordinance area. In the 1980's, EPA began investigating certain areas of Park City for possible listing on the Superfund National Priorities List (NPL). Park City had concerns about the investigation. The end result of various activities in the 1980's was a legislative amendment to the Superfund statute precluding listing on the NPL, and Park City's passage of the Soils Ordinance.

Toby stated that Park City was participating voluntarily in the stakeholder process (and the soils work group), because of the desire to maintain environmental quality and because of EPA's new collaborative approach. There are 6 sites in and around Park City that are on EPA's list of potential Superfund sites (CERCLIS). Park City wants to work with EPA and the State to increase their comfort level with the ordinance as a successful model for local initiatives to address soil contamination.

Paul Lammers gave a brief background of the Park City Soils Ordinance. In the 1980's, the ordinance encompassed three Prospector residential areas and one commercial area. At a later date, the geographic area covered by the soils ordinance was expanded. These two different areas are reflected on Paul's map in yellow (the “original area”) and purple (the “expanded area”).

In the 1980's, all undeveloped property within the original ordinance area was capped with six inches of soil. Compliance with the ordinance is voluntary for existing development. Currently, all new buildings must demonstrate that the top six inches of soil meets lead standards set in the

ordinance before receiving a certificate of compliance and occupancy. Part of Paul's responsibilities in monitoring compliance with the ordinance is to test yards and work with homeowners to bring the soil into compliance. Compliance data do not exist for seventy lots within the original area. Compliance enforcement efforts have been reduced in the past year, because the applicable rules may change.

### **Name of Work Group**

It was mentioned that property owners in Prospector Square feel singled out by the name of the work group, when it appears to encompass a larger geographic area. The group agreed to call itself the "Park City Soils Ordinance Work Group."

### **Purpose, Goals and Objectives of Work Group**

The group brainstormed ideas of what the purpose, goals and objective of the work group should be. All ideas were recorded on flipchart sheets, without reaction or challenge. After the list was complete, each participant was asked to identify any of the ideas that s/he could not agree with. The full list of flipchart notes is attached to these minutes. The facilitator was charged with organizing the ideas and creating a first draft of a Statement of Goals for the work group.

### **Geographic Boundaries of Work Group**

The group agreed that its focus would encompass all the geographic area currently covered by the soils ordinance (the expanded area on Paul's map, within the purple lines). The group acknowledged that different fact-gathering activities and different solution options might be available for various sub-areas within the expanded area, but agreed to work toward finding a uniform and equitable solution for the entire area.

### **Make-Up of Work Group**

The work group should be comprised of individuals representing all the people potentially affected by the solutions ultimately considered, yet remain a manageable size to work together productively. Several interests were felt to be possibly underrepresented:

- homeowners
- landscaping professionals
- contractors and environmental professionals
- individual business owners not represented by Dean Berrett's organization
- people concerned about their children's health

Several participants suggested the names of possible additional work group members. The facilitator was tasked to make phone calls to those individuals and to any others she might

identify who could represent homeowners in the ordinance area, particularly those with health and safety concerns. By the next work group meeting, the facilitator should have identified two-three additional potential work group members who fit these qualifications.

Suzanne Lewis mentioned that the time of the meetings (work day mornings) might be a deterrent to potential work group members. The group agreed there could be flexibility in the time of day that work group meetings are held, holding open the possibility of having evening meetings if necessary to accommodate a participant's schedule.

### **Public Notification and Outreach**

Jim Christiansen stated that he wanted to ensure that the work group did not get too far into the planning or implementation of its work without including all potentially affected interests, and without seeking input from the public. Toby expressed concern about creating confusion by going to the public without a clear focus to the work group's efforts. The group agreed that public outreach and input was a critical component of its work, and decided to revisit regularly the timing of that effort. The group also acknowledged that it did not want to reach irreversible decisions about its future work without public input.

Shelley West mentioned that many renters in the ordinance area are Hispanic, which will require targeted outreach efforts. Catherine Roberts indicated that EPA has the capability to translate outreach materials as necessary.

### **Next Meeting - Schedule and Interim Actions**

Jim Christiansen and Paul Lammers will put together and distribute background information to all current and new participants before the next work group meeting. At a minimum, the background information will include:

- correspondence between Park City and EPA/UDEQ
- relevant historical information (or a citation to where it can be found)
- stakeholder process history
- EPA issues lists
- text of soils ordinance

New work group members should be given the opportunity to ask questions of EPA and/or Park City before they come to their first work group meeting. The facilitator, EPA and Park City will work together to ensure that new work group members are brought up to speed in a timely manner.

The next work group meeting was scheduled for Wednesday, February 28, 9 am - noon. Place to be determined. On the agenda for the next meeting:

- review and affirm statement of goals
- review and answer questions on background materials
- begin to define the issues the work group will tackle
- revisit timing of and strategy for public outreach